IN THE HIGH COURT OF JUDICATURE AT BOMBAY

APPELALTE SIDE

WRIT PETITION NO.4434 OF 2006

Sunanda wd/o. Ramakant Desai & Ors. ...Petitioners.

Vs.

Sudam M. Patil-Hande. ....Respondent.

.....

Mr.P.K.Dhakephalkar with Shri A.A.Kochrekar for the Petitioners.

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CORAM : DR.D.Y.CHANDRACHUD, J.

July 17, 2006.

P.C. :

The order of the Appellate Bench granting stay to execution of the decree for possession pending appeal does not warrant interference under Article 227 of the Constitution. The petition is dismissed. However, it would be open to the Petitioner to apply before the Appellate Bench for expedited hearing of the appeal. In the event such an application is made, it would be open to the Appellate Bench of the Court of Small Causes to

consider the request of the Petitioners for an early disposal of the appeal, preferably by the end of the year 2006 subject to the exigencies of its own work.

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